

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DALE MCBRIDE,

Plaintiff(s),

CASE NUMBER: 06-15032
HONORABLE VICTORIA A. ROBERTS

v.

MICHAEL J. ASTRUE, COMMISSIONER
OF SOCIAL SECURITY,

Defendant(s).

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ORDER ADOPTING REPORT AND RECOMMENDATION

On June 14, 2007, Magistrate Judge Virginia M. Morgan submitted a Report and Recommendation **[Doc. 9]** recommending that the Court deny Defendant's Motion for Summary Judgment **[Doc. 8]**, that Plaintiff's Motion for Summary Judgment **[Doc. 6]** be granted in part, and that the matter be remanded for further proceedings. Because the Court has not received objections from either party within the time frame provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court will adopt the Magistrate Judge's Report and Recommendation. Therefore, Defendant's Motion for Summary Judgment is **DENIED**, Plaintiff's Motion for Summary Judgment is **GRANTED IN PART**, and the matter is **REMANDED** for further proceedings as set forth in the Report and Recommendation.

IT IS SO ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: September 17, 2007

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on September 17, 2007.

s/Linda Vertriest

Deputy Clerk